

REMARKS**I. Status of the Claims**

Claims 1-18 are pending. Claims 1-18 are subject to a restriction requirement. Applicants request entry of the following remarks and examination of the claims.

II. The Restriction Requirement is Improper

Applicants traverse the restriction requirement, where the Examiner is requiring that Applicants elect one of the following four claim groupings:

Group I: Claims 1-13, drawn to a test kit for detecting endotoxin;

Group II: Claims 14-16, drawn to a method for detecting endotoxin;¹

Group III: Claim 17, drawn to a method of detecting endotoxin with two containers;
and

Group IV: Claim 18, drawn to a kit for detecting endotoxin where the sensitivity can vary based on the time incubation.

Because claims 1-18 include common features that permit examination of the claims together, the restriction requirement is improper and should be withdrawn. In particular, the claims are related in that each of claims 1-18 includes a horseshoe crab amebocyte lysate. Each of claims 1-18 also includes a defined quantity of endotoxin to serve as a positive control. These common features permit examination of the claims together without resulting in any undue burden on the Examiner. With particular reference to claim Groups I and IV, both of these claim groups are directed to kits for detecting endotoxin that include the common features noted above. At the very least, claims Groups I and IV should be examined together because of the substantial features these two claim groups share in common.

¹ In the Restriction Requirement, Claim Grouping II inadvertently omitted claim 16. For completeness, claim 16 has been included with Claim Grouping II in this response.

III. Applicants Elect Group I for Examination

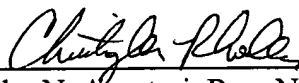
Notwithstanding the above traversal of the restriction requirement, Applicants hereby elect Claim Grouping I (claims 1-13) for examination.

IV. Conclusion

In view of the foregoing amendments and remarks, examination of the claims is respectfully requested.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an accompanying payment, please charge any deficiency to Deposit Account No. 50/2762, Ref. No. A2006-700610.

Respectfully submitted,
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